

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

KEVIN JIMENEZ-CASTILLO,
Defendant.

CRIMINAL ACTION NO.

1:07-CR-0279-43-CAP

ORDER

This action is before the court on the defendant's motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) [Doc. No. 2132]. The defendant seeks a reduction in his term of imprisonment because a guideline sentencing range has been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 944(u).

The defendant pled guilty to conspiracy to possess with intent to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846, and money laundering in violation of 18 U.S.C. § 1956. He was sentenced to 324 months imprisonment. Because of the quantity of drugs attributed to the defendant (more than 450 kilograms of cocaine), the amendment to the

sentencing guidelines does not change the defendant's base offense level, and therefore, he is not entitled to any reduction. *See* U.S.S.G. § 2D1.1. The motion for reduction of sentence [Doc. No. 2132] is DENIED.

SO ORDERED this 2nd day of March, 2016.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge